

Remarks

Claims 4-7 are now pending in this application. Applicants have not amended the claims.

Claims 6 and 7 are withdrawn from consideration by the Examiner as directed to a non-elected invention. Applicants respectfully request favorable reconsideration of this application.

The Examiner rejected claims 4 and 5 under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent publication 2002/0022102 to Kiyohara et al. in view of U.S. patent publication 2001/0030020 to Nandy et al., U.S. patent 5,700,536 to Steidinger, GB 1,420,743 to Ghavt and EP 0 353 972 to Takemoto et al.

The combination of Kiyohara et al., Nandy et al., Steidinger, Ghavt and Takemoto et al. does not suggest the invention recited in claims 4 and 5 since, among other things, the combination does not suggest a method for manufacturing a printable label laminate without a release layer. Additionally, the combination does not suggest the adhesive areas formed directly on a surface of an intended label material layer. Furthermore, the combination does not suggest forming adhesive areas directly on a surface of an intended label material layer and leaving untreated adhesive-free areas on the surface.

Still further, the cited references do not suggest a method for manufacturing a printable label laminate including two label material layers that are attached together and are releasable from each other without a release layer. The two label material layers may be used as a printing layer, a release layer and a layer where three-dimensional adhesive areas are directly formed.

Also, the cited references do not suggest non-adhesive areas having surface energy that is at least 25 dynes

The Examiner asserts that because Kiyohara et al. suggests untreated adhesive free areas 15 and 16 and, as a result that it would have been obvious to leave the adhesive free areas untreated. However, Kiyohara et al. suggests that the 15 and 16 are strip layers formed on label base material 11 and 12, as described in paragraph 0036. Additionally, paragraph 0037 of Kiyohara et al., to which the Examiner refers, also describes the label. Thus, it is evident that the label structure always includes strip layers which are formed on base materials 11 and 12.

On the other hand, the invention recited in claim 4 includes adhesive areas on a first label material layer attached to untreated label material on a second label material layer and vice versa. If the claimed invention included strip layers, then the adhesive areas on the label material layers could not be attached to untreated label material on a second label material layer.

Additionally, the Examiner asserts that Kiyohara et al. suggests a label laminate without a release layer. However, it is clear from paragraph 0033 of the disclosure of Kiyohara et al. that the label base materials 11 and 12 includes adhesive layers 13 and 14 and strip layers 15 and 16. As a result, this base material structure does not require a strip paper sheet, as described in paragraph 0038. Thus, Kiyohara et al. suggests that the base material structure always includes adhesive layers and strip layers.

On the other hand, according to the invention recited in claim 4, adhesive areas of a first

material layer may be aligned and attached directly to untreated non-adhesive areas on a second material layer and vice versa. These material layers do not include any strip layers. Rather, the invention recited in claim 4 may include first and second material layer surfaces. The basic substrate may form the surface of the non-adhesive area without strip layers.

As previously noted, Kiyohara et al. suggests adhesive layers that appear to include a continuous region of adhesive. Kiyohara et al. identifies each region 13 as a layer of adhesive. Therefore, Kiyohara et al. is not silent about the pattern of the adhesive. A layer is not a dot or any other pattern. Similarly, Kiyohara et al. describes regions 15 as strip layers. There is nothing in Kiyohara et al. to suggest that strip layers are anything but continuous regions of label base material.

None of the other cited references suggests a label laminate without a release layer.

While the Examiner asserts that Nandy et al. suggests the compositions of the label material layers not suggested by Kiyohara. However, Nandy et al. suggests that polyethylene films and hot-melt adhesives are suitable materials for printable labels having a release liner. It would not be obvious to one of ordinary skill in the art to use these materials and end up a method for manufacturing a label laminate without a release liner where hot-melt adhesive areas are directly formed on a surface of a film where the film is simultaneously able to serve a substrate for the adhesive, a substrate for printing and a release layer. On contrary Nandy et al. suggests that the hot-melt adhesive layer is applied onto a release liner and transfer coated from the release liner onto a polypropylene or polyethylene film. In fact, Nandy et al. particularly

states in paragraph 0014 that the release liner includes a layer of polyester or alternative materials having similar properties of a thickness capable of withstanding the heat of molten adhesive. Based on the disclosure of Nandy et al., it would not have been obvious to form hot-melt adhesive layer directly on polypropylene or polyethylene film surfaces.

The Examiner cites Steidinger and Ghavt as suggesting methods such as melt extruding, flexo graphic, gravure and screen printing for forming an adhesive layer. The Examiner also cites Ghavt as suggesting that plastic film having low degree of affinity for the adhesives, such as polyethylene, may constitute the release surface. However, Steidinger and Ghavt do not suggest utilizing the material layer of the label laminate, such as a first material layer, as a layer onto which the adhesive has a strong adhesion and where the adhesive thus remains. Additionally, neither Steidinger nor Ghavt suggests that a single untreated layer may simultaneously provide a printing substrate and a release liner. That is, neither Steidinger and Ghavt suggests a single untreated layer that provides a releasability of a second label material layer although adhesive areas of the second label material layer contact a first material layer.

Although Takemoto may suggest repositionable tapes including three-dimensional adhesive dots that have a larger contacting area to a backing material than to an surface attached, due to the differences between Takemoto and the claimed invention, one of ordinary skill in the art would not look to Takemoto to solve problems in developing labels for double-sided printing where two identical label material layers, made of same material and both having an adhesive and nonadhesive areas, are attached together and are releasable from each other.

Along these lines, Takemoto et al. suggests adhesive deposits that are not for attaching together two material layers. Rather, the adhesive deposits suggested by Takemoto et al. are for adhering tape or bandages to the skin. Along these lines, the adhesive regions may act as a drug delivery system. Takemoto et al. does not include any suggestion that the adhesive deposits are formed on material layers to permit the material layers to be joined together without a release layer. Adhesive regions for applying a bandage to skin do not suggest adhesive dots for joining together two material layers so that back sides of the label material layers can be printed and the label material layers can be released from each other and attached to another surface.

The cited references do suggest the claimed adhesive areas each including a group of three-dimensional adhesive dots. Additionally, the cited references do not suggest that an area of the adhesive dots that contacts the material layer on which the adhesive dots are formed is larger than an area of the dots that contacts the non-adhesive areas on the other material layer to which the dots are attached. The structure of the adhesive dots provides a label laminate that can be manufactured without a release layer. This is possible due to the different sized contact areas of the dots on the layer on which they are formed and the layer to which they are attached. The cited references do not suggest the claimed structure or the advantages achievable therewith.

In view of the above, the cited references, whether considered alone or in combination, do not suggest patentable features of the claimed invention. Therefore, the cited references, whether considered alone or in combination, do not make the claimed invention obvious. Accordingly, Applicants submit that the claimed invention is patentable over the cited references and respectfully request withdrawal of the rejections based on the cited references.

Accordingly, Applicants respectfully request favorable reconsideration of this application and issuance of the notice of allowance.

If an interview would advance the prosecution of this application, Applicants respectfully urges the Examiner to contact the undersigned at the telephone number listed below.

The undersigned authorizes the Commissioner to charge fee insufficiency and credit overpayment associated with this communication to Deposit Account No. 22-0261.

Respectfully submitted,

Date: June 17, 2011

/Eric J. Franklin/
Eric J. Franklin, Reg. No. 37,134
Attorney for Applicants
Venable LLP
575 Seventh Street, NW
Washington, DC 20004
Telephone: 202-344-4936
Facsimile: 202-344-8300